

P.O. Box 747  
Falls Church, Virginia 22040-0747  
Phone: (703) 205-8000  
Fax: (703) 205-8050  
(703) 698-8590 (GIV)

**Birch, Stewart, Kolasch & Birch, LLP**

# Fax

<b>To:</b>	Examiner V. Manoharan	<b>From:</b>	Eugene T. Perez
<b>Fax:</b>	(571) 273-1450	<b>Date:</b>	February 23, 2004
<b>Phone:</b>		<b>Pages:</b>	Five (5) (including cover sheet)
<b>Your Ref.:</b>		<b>Our Ref.:</b>	0020-4907P
<b>Re:</b>	Application No. 09/964,364	<b>CC:</b>	

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution, or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (703) 205-8000, and send the original transmission to us by return mail at the address above.

**As requested, attached is the transmittal letter dated September 28, 2001. The amendment to the specification made regarding the related applications is on page 2, paragraph 5b.**

**Please contact me if you have any questions.**

## BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
BERNARD L. SWEENEY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
TERRY L. CLARK  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
DONALD J. DALEY  
JOHN W. BAILEY  
JOHN A. CASTELLANO  
GARY D. YACURA  
THOMAS S. AUCHTERLONIE  
MARK J. NUEL, Ph.D.

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
ELLIOT A. GOLDBERG  
WILLIAM L. GATES  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)  
F. PRINCE BUTLER  
FRED S. WHISENHUNT  
JAMES W. HELLWEGE

\*ADMITTED TO A BAR OTHER THAN VA.

INTELLECTUAL PROPERTY LAW  
8110 GATEHOUSE ROAD  
SUITE 500 EAST  
FALLS CHURCH, VA 22042-1210  
U S A  
(703) 205-8000

FAX: (703) 205-8050  
(703) 598-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICE:  
COSTA MESA, CALIFORNIA

JAMES T. ELLER, JR.  
SCOTT L. LOWE  
D. RICHARD ANDERSON  
PAUL C. LEWIS  
MARK W. MILSTEAD  
RICHARD J. GALLAGHER  
JAYNE M. SAYDAH  
MARYANNE ARMSTRONG, Ph.D.  
KECIA J. REYNOLDS  
ROBERT L. SCOTT, II  
KALPANA REDDY  
LARRY J. HUME

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI MATSUMI  
CRAIG A. MCROBBIE  
GARTH M. DAHLEN, Ph.D.  
ROBERT E. GOOZNER, Ph.D.  
MATTHEW J. LATTIG  
TIMOTHY R. WYCKOFF  
KRISTIL L. RUPERT, Ph.D.  
HRAYR A. SAYADIAN, Ph.D.  
MATTHEW T. SHANLEY  
JASON W. RHODES  
CHRISTINA F. ANNICK  
SUSAN W. GORMAN, Ph.D.  
DAVID J. CHO

Date: September 28, 2001

Docket No.: 0020-4907P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/101,809 filed on July 23, 1998,  
the entire contents of which are hereby incorporated by  
reference,  
by

Tatsuo NAKADA, Noriaki SHIBATA, Takashi SHIBANUMA

for

AZEOTROPIC MIXTURE OF PENTAFLUOROPROPANE AND HYDROGEN FLUORIDE  
AND PROCESS OF SEPARATING/PURIFYING PENTAFLUOROPROPANE

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).

Rule 53(b) Div. of 09/101,809  
New Attorney Docket No. 0020-4907P

2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$710.00	\$355.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	13-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3-3 =	0	x 80 = \$0.00	x 40 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$270.00	+ \$135.00
TOTAL			\$710.00	\$0.00

3. ☒ A check in the amount of \$710.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:

a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/101,809, filed on July 23, 1998, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--

b. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/101,809, filed on July 23, 1998, and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/101,809 is the national phase of PCT International Application No. PCT/JP97/00134 filed on January 22, 1997 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. 8-009085 and 8-156701 filed in Japan on January 18, 1997, *US Pat. No. 6,328,907*

Rule 53(b) Div. of 09/101,809  
New Attorney Docket No. 0020-4907P

23, 1996 and June 18, 1996, respectively under 35  
U.S.C. § 119.--

6. ☒ Enclosed is/are five (5) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/101,809 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Daikin Industries Ltd.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☒ Priority of International Appln. PCT/JP97/00134 filed on January 22, 1997 under the Patent Cooperation Treaty and Japanese Application No. 8-009085 and 8-156701 filed in Japan on January 23, 1996 and June 18, 1996, respectively under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
or  
Customer No. 2292
13. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/101,809 in order to establish co-pendency with the present application.

Rule 53(b) Div. of 09/101,809  
New Attorney Docket No. 0020-4907P

14. ☐ Also enclosed herewith is the following:
- 

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

*MW*  
ADM/MWM/bsh  
0020-4907P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments

(Rev. 01/23/01)